

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTONY C. STITH,

Plaintiff,

vs.

CV F 05 0023 AWI WMW P

ORDER

HARRELL WATTS, et al.,

Defendants.

Plaintiff Antony C. Stith is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Agents, 403 U.S. 388 (1971). Plaintiff filed this action on January 5, 2005. The court has screened plaintiff's May 10, 2005 first amended complaint pursuant to 28 U.S.C. § 1915A and finds that it appears to state cognizable claims for relief under 42 U.S.C. § 1983 against defendants Watts, Gunja, Schultz and Gonzalez for deliberate indifference, in violation of the Eighth Amendment. Accordingly, it is HEREBY ORDERED that:

1. Service is appropriate for the following defendants:

HARRELL WATTS

JOSEPH GUNJA

PAUL M. SCHULTZ

JESSE GONZALEZ

2. The Clerk of the Court shall send plaintiff three (4) USM-285 forms, three (4) summonses, a Notice of Submission of Documents form, an instruction sheet and a copy of the amended complaint filed May 10, 2005.
3. Within **thirty (30) days** from the date of this order, plaintiff shall complete the attached Notice of Submission of Documents and submit the completed Notice to the court with the following documents:
 - a. Completed summons;
 - b. One completed USM-285 form for each defendant listed above; and
 - c. Five copies of the endorsed complaint filed May 10, 2005.
4. Plaintiff need not attempt service on defendants and need not request waiver of service. Upon receipt of the above-described documents, the court will direct the United States Marshal to serve the above-named defendants pursuant to Federal Rule of Civil Procedure 4 without payment of costs.
5. The failure to comply with this order will result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

Dated: May 11, 2005
mmkd34

/s/ William M. Wunderlich
UNITED STATES MAGISTRATE JUDGE